

BOROUGH OF TRAFFORD

ORDINANCE NO. 7 of 2023

**AN ORDINANCE OF THE BOROUGH OF TRAFFORD,
ALLEGHENY AND WESTMORELAND COUNTIES,
PENNSYLVANIA, ESTABLISHING A HEIGHT RESTRICTION ON
THE RAIL ROAD BRIDGE LOCATED ON FIRST STREET.**

WHEREAS, the Borough of Trafford is a local authority under the Pennsylvania Vehicle Code (Act of June 17, 1976, P.L. 162, No. 81 as amended, 75 Pa. C.S.A. §§101, et seq.) having certain street, roads or highways under its jurisdiction; and

WHEREAS, pursuant to Section 6109(e) of the Vehicle Code, the Borough has caused certain traffic investigations to be made of certain streets, roads or highways; and

WHEREAS, said investigations have determined that First Street requires a height restriction in order to maintain the structural integrity of the roadway, to promote safe vehicular and pedestrian travel, and to provide for the proper maintenance of certain roads; and

WHEREAS, the underpass under the railroad bridge on First Street has a height of twelve feet six inches; and

WHEREAS, Council for the Borough of Trafford (Borough Council) agrees that it in the best interests of its residents and users of said streets, roads and highways to preserve the structural integrity of the roadway by restricting the height of vehicles on First Street; and

WHEREAS, Borough Council has determined that vehicular height limitations on First Street is necessary for the proper maintenance and use of said roads and necessary for the promotion of the public health, safety and welfare.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED by the Borough of Trafford, Allegheny and Westmoreland Counties, Pennsylvania, by the authority granted to it by the Pennsylvania Borough Code, and other applicable laws as follows:

SECTION 1. DEFINITIONS AND INTERPRETATION. Words and phrases used in this Ordinance shall have the meanings described to them in the Pennsylvania Vehicular Code (Act of June 17, 1976, P.L. 162, 81), as amended, except that in this Ordinance the word "road" or "street" may be used interchangeably with the word "highway" and shall have the same meaning as the word "highway" as quote defined in the Vehicle Code.

SECTION 2. HEIGHT RESTRICTIONS ON FIRST STREET. No vehicle, including any load, shall exceed a height of 12 feet 6 inches through the underpass of the railway bridge. This provision shall not be construed to require public authorities to provide sufficient vertical clearance to permit the operation of such vehicles.

SECTION 3. SIGNAGE. The Borough shall erect signs at or near the beginning of First Street and at conspicuous location near and on the underpass advising those traversing or travelling said road of the height restriction herein established.

SECTION 4. EXCEPTIONS. As First Street only has vertical clearance of twelve feet six inches through the railway underpass, there are no exceptions to this ordinance.

SECTION 5. PENALTIES. Upon conviction, the owner and/or operator of a vehicle operating on any street identified herein in violation of this Ordinance shall pay a fine not less than \$300.00 nor more than \$1,000.00.

SECTION 8. SEVERABILITY. If any sentence, clause, section, or part of this ordinance is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, sections or parts of this ordinance.


SECTION 9. REPEALER. All ordinances or parts of ordinances, which are inconsistent herewith, are hereby repealed.

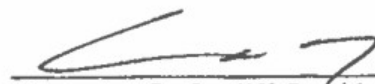
SECTION 10. EFFECTIVE DATE. This ordinance shall take effect immediately upon its approval in accordance with the Borough Code.

ORDAINED AND ENACTED this 7th day of November, 2023.

ATTEST:

THE BOROUGH OF TRAFFORD


Jaime Peticca, Borough Manager


Kristopher R. Cardiff, President

EXAMINED AND APPROVED this 7th day November, 2023.


Edward Llewellyn, Mayor

APPROVED AS TO FORM:


Craig H. Alexander, Esquire
Solicitor

CERTIFICATION

I, Jaime Peticca, Trafford Borough Manager, do hereby certify that the foregoing Ordinance is a true and correct copy of the original Ordinance No. 7-2023 duly passed and adopted by a majority vote of the Borough Council of the Borough of Trafford at a duly advertised and conveyed regular meeting held on the 7th day of November, 2023, and that the minutes of said meeting showing how each member voted have been duly recorded in the official minutes of said Borough Council and remains in effect as of this date.

IN WITNESS WHEREOF, I affix my hand and attach the seal of the Borough of Trafford this 7th day of November, 2023.

CERTIFIED BY:

(SEAL)



Jaime Peticca, Borough Manager